

REMARKS

Claims 1-15 are all the claims pending in the application.

1. Formalities

Applicants thanks the Examiner for acknowledging the claim for foreign priority.

However, the Examiner believes that the certified copy of priority document JP 2000-077284 was not received by the USPTO.

Applicants' files indicate that the priority document was submitted on March 19, 2001. As proof, Applicants are enclosing a copy of the date-stamped filing receipt, which indicates that the priority document was submitted, and a copy of the front page of the bound priority document.

A review of PAIR on the PTO web site indicates receipt of a bound document (this priority document would have been bound) that could not be scanned on March 19, 2001. Accordingly, Applicants respectfully request that the Examiner search his files since there appears to be a bound document, which probably is the priority document, that was received on the date Applicants submitted the priority document.

Applicants thank the Examiner for initialing the references listed on form PTO-1449 submitted with the Information Disclosure statement filed on March 19, 2001.

2. Objections to the Drawings

The Examiner has objected to the Drawings because the claimed "recording duty cycle detecting means" and "recording duty cycle" are not shown in the figures.

Applicants have modified the claims 1, 4, 5, 8, 11, 13 and 14 to recite “recording duty ratio detecting means” and “recording duty ratio.” Applicants submit that the modifications to the claims obviate the objection since at least element 154 in Fig. 3 illustrates a non-limiting embodiment of the “recording duty ratio detecting means” and at least Fig. 5 illustrates a non-limiting embodiment of “recording duty ratio” (PDUTY).

Applicants submit that the modifications are for clarity and precision of language and do not change the scope of the pending claims.

3. Objections to the Specification

The Examiner has objected to the specification for inconsistencies in defining PDUTY and that the specification is incomprehensible, which precludes a search of the prior art. Specifically, the Examiner contends that “recording duty ratio” and “recording duty cycle” appear to be the same in the specification. In addition, the Examiner contends that the definition of PDUTY on pages 23, 33/34 and 37 appear to be inconsistent.

Applicants have modified the phrase “recording duty cycle” to “recording duty ratio” in order to be consistent.

Applicants submit that the definitions of PDUTY are consistent in the specification as originally filed since PDUTY and halftone % are related (see e.g., page 25, lines 10-14). However, Applicants have modified the specification (paragraphs on page 33/34 and 37) for clarity and precision of language. Applicants submit that these modifications address the Examiner’s contention that the specification appears to have inconsistent definitions.

4. Claim Rejections

The Examiner has rejected claims 1-15 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. The Examiner contends that, because the specification has inconsistent definitions for PDUTY, it would not enable one skilled in the art to practice the invention.

Applicants submit that the definitions, as originally filed, were not inconsistent since PDUTY and halftone % are related and would have been enabling to one skilled in the art as originally filed.

However, Applicants have modified the specification for clarity and precision of language. Accordingly, Applicants respectfully request that this rejection be withdrawn.

5. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Serial No. 09/810,661

Attorney Docket No.: Q61851

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Bhaskar Kakarla
Registration No. 54,627

Date: January 14, 2005